

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONALD JAMES BARBIERI,

No. C 12-06311 WHA

Plaintiff,

v.

**ORDER DISMISSING ACTION
FOR FAILURE TO PROSECUTE**

STEVEN FREITAS, SONOMA
COUNTY SHERIFF'S DEPARTMENT,
KATHRYN STRALEY, and DOES 1-15,

Defendants.

Pro se plaintiff Ronald James Barbieri filed the complaint in this action on December 12, 2012. On December 31, defendants filed a motion to dismiss the complaint. Following reassignment to Judge Claudia Wilken, the action was then reassigned to the undersigned judge as related to *Barbieri v. PWFG Reo Owner, LLC et al.*, No. 12-5252-WHA. Defendants filed an amended motion to dismiss on January 9, 2013. Pursuant to Local Rule 7-3, plaintiff's response was due seventeen days thereafter, because service was via United States mail. No response was received. On January 31, plaintiff was ordered to show cause why the motion to dismiss should not be granted, particularly in light of the fact that the related action, *Barbieri v. PWFG Reo Owner, LLC et al.*, was dismissed for failure to prosecute and judgment was entered against plaintiff.


Plaintiff's response to the order to show cause was due by February 8. That deadline has come and gone and no response has been received. Plaintiff was previously warned that failure to timely respond may result in the motion to dismiss being granted or the action being dismissed

1 for failure to prosecute. Plaintiff has been on notice of defendants' motion to dismiss since
2 December 12, and of the amended motion since January 9. He has failed to respond to the
3 motion, and to this Court's order to show cause.

4 Accordingly, the action is hereby **DISMISSED FOR FAILURE TO PROSECUTE**. Judgment
5 will be entered by separate order.

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7 **IT IS SO ORDERED.**

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9 Dated: February 12, 2013.

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12 WILLIAM ALSUP
13 UNITED STATES DISTRICT JUDGE
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